# REFLECTIONS OF A SCOTTISH OFFICE MINISTER

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The weekend after a general election is a tense experience for the Member of Parliament whose party has been victorious and whose leader is safely ensconced in Downing Street. Each time the telephone rings he picks up the receiver wondering if it is a summons to a post in the new Government. As often as not it is some amiable relative or friend wishing to chat and assuming that, with the election safely behind him, the M.P. will have nothing else on his mind. Instead the caller finds someone who wants to end the conversation as quickly as possible in order that the line can remain open for the only telephone conversation in which he is really interested. In my own case, the telephone rang five times that Sunday before, around 6 p.m., I found the Chief Whip at the other end of the receiver informing me that the Prime Minister would like me to be an Under-Secretary of State at the Scottish Office. I did not think it would be convincing to suggest that I wanted time to think about it and, in any event, if I had, she might have changed her mind. I accepted on the spot.

Thereafter the well-oiled Civil Service machine moved into action. My new Private Secretary rang the following day to arrange my first ministerial visit to the Scottish Office. On the Tuesday morning a sleek, black Government car arrived at my front door and feeling acutely self-conscious and a slight fraud, I stepped in to be driven from my home in Duddingston Village, through Holyrood Park and thence to that concrete and glass mausoleum which is New St. Andrew's House. From that first journey I have never ceased to be amazed that the entrance to the seat of government in Scotland is through a narrow back street squeezed between the rear of a bus

station on one side and the rear of the St. James shopping centre on the other. The architect must have had a grudge against ministers and civil servants. That, at least, is the only charitable explanation I can think of.

The first few weeks for a new Minister are stimulating but nerve-wracking. If one has served in a previous Government one at least knows what to expect and can concentrate, right away, on the policy issues that are one's responsibility. For virgin Ministers like myself there were more fundamental issues that had to be resolved.

My first misunderstanding arose when my Private Secretary asked me, in a rather embarrassed fashion, if I could give him £3. Thinking that he must be short and that Civil Service pay was clearly inadequate, I made some frivolous remark only to find out that the money was not for his own use but to pay for my coffee and biscuits. I hasten to add that this was not some new manifestation of the Thatcher experiment but a sacred rule handed down from one government to another. I was solemnly informed that if I offered coffee to visitors who came to see me on official business that was paid for by Her Majesty's Government. If I drank it in splendid isolation, however, I picked up the bill. If only Gladstone could see us now, his heart would swell with pride.

The most difficult task of the first few days was to get the hierarchy of the Civil Service right. There is no obvious reason why one should know that an Under-Secretary is senior to an Assistant Secretary or that the First Division Association is the trade union of the top civil servants rather than something to do with the football league. Nor is it easy, at first, to get used to calling Permanent Secretaries with thirty years' experience by their first names, while they would never dream of calling you anything other than Minister. What would have been strange for any raw new minister was exacerbated by the fact that I was a mere stripling of thirty-two and yet could only do my job properly by accepting the authority that went with my office as a member of the Government.

On arrival at the Scottish Office each Minister was presented with a full brief which not only explained all the work of the department, but also made meticulous reference to our election mani-



festo commitments and the detailed ways in which many of them could be implemented. As there was no means by which these substantial briefs could have been prepared in the one working day which had elapsed since the General Election results, I assumed that the Civil Service had been sensible enough to anticipate a Conservative victory and to prepare accordingly. It was with some mortification that I subsequently discovered that the period of the General Election campaign had been used to prepare two different briefs; one for a returning Labour Government and the other for a Conservative administration. The civil servants were neutral after all.

Or were they? I subsequently learnt that when one of the junior ministers in the last Labour Government first arrived at the Scottish Office he was taken by a senior civil servant for a drink in a local pub. No such privilege was accorded to me or my colleagues and I can only assume that we appeared more intimidating than we felt.

The first few weeks are a crucial testing period for a new Minister and for his civil servants. The Minister, for his part, is anxious to come to an early view on the ability and reliability of those who are to advise him. It goes without saying that a civil servant would be highly unlikely to reach a senior position if he was not extremely competent and able and I have yet to meet an Assistant Secretary or above at the Scottish Office who is not very intelligent and thoroughly professional.

But the Minister's requirements of his senior officials are not merely competence and intelligence. What he needs from them are political instincts, a nose for trouble and a willingness to subordinate their personal preferences as to policy to the aspirations and priorities of the Government. So far as the first is concerned, a senior civil servant's need for political instincts is not in conflict with the political neutrality that is part of his professional creed. That neutrality requires him to ignore his own personal political prejudices when advising a minister and implementing policy. Without political instincts, however, he will be entirely unable to anticipate whether a particular option or possible initiative is politically acceptable to the Minister or to the Government. Valuable time can be lost, considerable effort can be wasted and the Minister's confidence can be jeopardised if civil servants put forward proposals which, with a modicum of

political instinct, they would have known in advance to be unacceptable to the Government.

To use obvious examples a Labour Government is unlikely to support a proposal to ban the closed shop and a Conservative Government is unlikely to support proposals to make it universal. A sensible civil servant does not spend much time on proposals that he knows his political masters could not accept.

Likewise an able civil servant with a nose for trouble may be able to curb a Minister's enthusiasm for a new initiative by advising him that his proposal, however sound, might be extremely unpopular either with the Minister's own supporters or with other important interest groups or indeed the public as a whole. Of course a competent Minister's political antennae should have ensured that he came to the right conclusion without the need for advice but even politicians can sometimes be fallible.

A nose for trouble can be a priceless asset not just in anticipating public resistance to a possible new policy, but in forewarning the Minister of likely opposition or criticism from his Government colleagues either in his own Department or in other Departments. The civil service grapevine is, of course, the eighth wonder of the world and has often helped preserve Ministers from the wrath of their colleagues by sensible advice at the appropriate time.

The requirement that a civil servant should subordinate his personal preferences to the whims of the Minister is fundamental to our constitutional system and must be excessively irritating to most civil servants. A Department may spend months analysing a problem, narrowing the options, costing them, eliminating the alternatives and finally, in a ten foolscap page minute, recommending a specific course of action. The Minister, after reading it in twenty minutes, may reject the conclusion and direct a different course of action without argument, explanation or analysis. If the Minister is sufficiently determined to proceed on the basis of his own judgement there is little a Department can do but acquiesce with a smile on their lips and a pain in their necks. Needless to say the scenario I have just described was a normal feature of all previous governments but has never yet occurred under the present administration.



I have mentioned the qualities that a Minister tries to discern in his civil servants. It is perhaps not for me to speculate as to what they look for in Ministers, but I suspect it is as follows.

Firstly, they want to know if the Minister has the brains to understand what the civil servants are telling him in their beautifully presented minutes. Ministers come in all shapes and sizes and are appointed for reasons not always directly related to their capacity to run a Ministry. Their intelligence and ability are thus crucial considerations and not, necessarily, to be taken for granted.

Secondly, the civil servants want to know whether a Minister's decisions will be taken on the basis of his instincts, his emotions, his reason, all three of them, or some combination thereof. Until that can be determined they cannot judge whether a Minister's first response to a departmental proposal is likely to be his last word on the subject or merely a prelude to discussion.

Finally, in the case of junior Ministers, the civil servants want to assess the extent to which the junior Minister enjoys the confidence of his Secretary of State or whether he is merely a transit lounge that must be passed through before the actual decision is taken on any matter of substance by the Secretary of State himself. If the Secretary of State is seen to prefer the judgement of the junior Minister to that of the Department the message is soon taken and appeals to the Secretary of State become relatively infrequent. If, however, in the first few weeks the junior Minister is regularly over-ruled by his boss the officials would be less than human if they did not file that away for future use.

The first few weeks will therefore be of considerable importance in establishing, for good or ill, the long-term relationship between a Minister and his civil servants. For both it is an education and an enlightenment as well as a dispeller of irrational prejudices.

A crucial member of the Minister's staff is, of course, his Private Secretary. He is usually a young civil servant, considered by his superiors to be a potential high-flier, and assigned to the Minister's Private Office to be initiated into the mysteries of ministerial life for a year to fifteen months before being thrust back to the anonymity of the Department whence he came. His function

while in the ministerial pent-house suite is to be a cross between an eminence grise and a glorified ministerial luggage carrier. Like the Permanent Secretary he has access to the Minister whenever he feels like it and can deny access to almost whomsoever he wishes. Unlike the Permanent Secretary, however, he has only a brief experience of this civil service Valhalla and has to bear his own career prospects in mind whenever he contemplates telling Permanent, Deputy and Assistant Secretaries where to get off.

The formal duties of the Private Secretary are to look after the Minister's engagements, ensure that there is a regular flow of minutes and correspondence to him for decision, and to ensure that these decisions are processed to the relevant officials for implementation. His informal responsibilities are to tell the Minister what is really going on in the Department and to warn his civil service colleagues whenever there is about to be a Ministerial earthquake. Ministers, of course, often use their Private Secretaries as sounding-boards for new ideas or possible initiatives. If you do come up with what you think is a brilliant idea, your Private Secretary is naturally too polite and well-trained to tell you that it is the most harebrained suggestion that he had heard since he joined the Civil Service. He will, however, if he is any good be able to advise the likely departmental reaction and point to obvious problems (or advantages) associated with the proposal.

The Private Secretary is at his best when, having read some Ministerial decision scribbled at haste on top of a Minute, he enquires, without the slightest hint of either sarcasm or irony, whether you really meant to say that. It is a brave Minister who will stoutly reply that he did. Most will take the hint and be grateful for the advice. The alternative is to let your proposal go to the Department for comment and receive, in return, a ten page closely typed minute tearing your proposal to shreds in the polite but unforgettable style that is peculiar to the Civil Service. This style is one that never dreams of using one word when ten will do. Nor will the Minister's proposal be explicitly rejected. Indeed it might be actually supported but with conditions and qualifications that ensure its early demise. I remember on one occasion being told that my suggestion was excellent but that the best way forward was the appointment of a committee to consider it,



an extensive correspondence with other departments and a possible consultative document at the end. Such a procedure might have been justified if I had been proposing to abolish the Scottish Office, but as my suggestion was rather more modest it did seem like the official playing for time.

I mentioned earlier the political neutrality of our Civil Service. This is one of its finest features and distinguishes Britain not merely from corrupt or undemocratic states but also from such havens of democracy as the United States where senior civil servants are changed with the administration and political appointments are taken for granted.

Cynics have explained our non-political Civil Service in one of three ways. Those on the far Left see the civil servants as middle class bourgeois representatives of the Establishment who will always seek to frustrate the social transformation of our society. Those on the far right often maintain that the civil servants are a bunch of interfering, progressive radicals responsible for the Welfare State, the growth of the public sector and the National Debt.

Yet a third group accept that the Civil Service has no affinity with any political party but argue that it goes on governing the country in exactly the same way regardless of the results of General Elections and the noble contents of election manifestos.

The truth of the matter is that civil servants are genuinely independent of political parties, and do seek to serve the Government of the day to the best of their ability. That is not quite the same, however, as saying they are completely non-political. Whenever a Minister is preparing for a debate in the House or for Question Time, his brief will not merely contain a full explanation of his proposals and policies together with the necessary statistical material. It will often also include a suggested indictment of the Opposition's case and may very well include arguments or examples that the Minister, left to himself, might never have thought of.

Most effective of all it may include choice quotations from speeches that Opposition spokesmen made when they were Ministers and which they would dearly prefer to forget. A Minister's pleasure at being supplied with these juicy morsels is, of course,

tempered by the recognition that the same civil servants will, just as happily, give to a future Minister of the Opposition party choice quotations from his own speeches which, by that time, he will, almost certainly, wish he had never made.

One fundamental issue that never ceases to interest and excite is whether civil servants actually rule the country or whether they merely carry out the collective Ministerial will.

I am convinced that the answer very much depends on who the Minister is. Civil Servants hate taking decisions that are essentially political in nature. While they obviously prefer Ministers to accept their advice rather than reject it, their prime aspiration (not always realised) is that Ministers should have a clear idea what they want, be aware of the implications and consequences of the implementation of their policies and be prepared to see them through.

If Ministers have formulated a clear strategy or set of policy proposals their officials may register their disagreement or doubts, but once a decision has been made they will move heaven and earth to try and implement them. Having said this, I do not doubt that there is, occasionally, a scorched earth policy whereby a Department could try to destroy a Minister's enthusiasm and determination for a pet scheme even after he thought he had made a final decision. Such resistance, however, will only succeed if Ministers are either divided amongst themselves or if their determination is not as absolute as it seemed.

One of the main factors one realises when first going into government is the enormous advantage the Minister has over the shadow minister. On every issue the Minister has a large staff to assist him, to write his speeches if necessary, to feed him with background information, to research quotes and statistics and to determine the timing of his announcements. The shadow minister, on the other hand, has at best a research assistant, the facilities of the House of Commons Library and the freedom to choose his own line of attack. Given the unequal balance a Minister has little excuse for being destroyed at Question Time or decimated in Committee. Not only does he normally have the last word and a majority in Parliament, but he can normally contrast his positive and constructive approach to whatever issue is under consideration with the Opposition's contribution which will almost inevitably seem destructive and negative in comparison.



This inherent advantage is particularly useful during the parliamentary recess. The Opposition are deprived for the time being of their parliamentary platform, there is no Question Time, there are no debates and only the occasional speech at a constituency wine and cheese party is likely to lead to press coverage and media interest. The Minister, on the other hand, can use his recesses to make prestigious visits to various parts of the country, announce important new initiatives at specially arranged press conferences and give an impression of vitality and imagination when the Opposition, by contrast, seem dozy and dull. The business of Government goes on even when Parliament is on holiday and every government takes advantage of that fact.

Much of a Minister's activity has, of course, little political content. If he is a junior Minister he will spend a proportion of each day dealing with correspondence from other MPs on behalf of their constituents. The most thankless task in any Government must be to be a junior Minister at the Department of Health and Social Security (known to the cognoscenti as the Department of Stealth and Total Obscurity). If you are posted there you spend most of your working hours dealing with the (literally) thousands of letters from MPs on the social security problems of their correspondents.

In addition to MPs' letters, much time is taken up with the minutiae of administration that would be coming up before the Minister for the same decision whichever government is in power. Statutory instruments, minor appointments, speeches to worthy outside bodies, approval of various departmental programmes and policies are a significant part of the workload of any Minister. While usually uncontroversial they are still of considerable importance to the smooth administration of a modern state. We should always beware the temptation to assume that only that which is politically controversial is really important. Civil Servants are well aware that the exact opposite is often nearer the truth.

The remarks I have made apply, of course, to all government departments, but the Scottish Office is, in many ways, sui generis. Unlike the others it is almost a mini-government in itself and the

Scottish Secretary's responsibilities are so wide and varied that he is, in Scotland, more like a premier than a Minister. Unlike most government departments the Scottish Office has only a small branch office in London and runs Scotland from Scotland. Being in charge of Home Affairs and the Environment one has often to liaise with our sister departments in Whitehall. The Scottish Office, whatever government is in power, always follows the splendid tradition of insisting on United Kingdom uniformity when we like what our English colleagues are doing and asserting the need for distinctive Scottish solutions when we don't like what they are doing. In plain English (if I can be excused that word in this context) we enjoy eating our cake and having it.

Junior Ministers are far more involved in policy formulation than would be likely in other government departments and a Secretary of State who did not have full confidence in his junior colleagues would have an intolerable burden to bear.

The other side of that coin is that from the point of view of that lowest form of ministerial life, the Parliamentary Under-Secretary of State, the Scottish Office is one of the most stimulating departments to which to be posted. Not only is one intimately involved in the running of a great Department of State, but one remains seeing, and being seen by one's constituents, as labouring on their behalf. A junior Minister at, say, the Department of Trade may be working twice as hard pushing our exports and spending most of his time in Hong Kong or Patagonia. His constituents, however, will see little reference to it in their newspapers or on television. They will assume that their day to day problems are far too mundane for the time of their itinerant MP. A similar concern may be felt if their MP is posted to the Scottish Office, but they will, at least, be kept aware constantly of what he is doing and why it is of relevance to them. Whether they will be impressed or depressed as a result is not for me to speculate.

Being a junior Minister at the Scottish Office also gives one great opportunity to pilot legislation through the House of Commons Because of our own legal system and other distinctive Scottish aspects of government, the Scottish Office sponsors considerably more legislation than almost any other department. Being an advocate is of considerable assistance. Not only is one familiar with



Acts of Parliament and the legal jargon that is so dear to parliamentary draftsmen; one also has a degree of forensic skill that enables the cut and thrust of Committee stage debate to be anticipated with a degree of equanimity. Indeed such is the profusion of legal eagles on the Scots Tory benches that one cannot help remembering Burke's dictum that he did not object to being governed by law but he did object to being governed by lawyers. Of course as a minister one is required to take decisions on many subjects on which one had only the scantiest knowledge as a backbench MP. My legal background and previous involvement in local government have been invaluable for these areas that I cover, but I cannot claim to have had a clue on the finer details of water and sewerage, the distribution formula of rate support grants and national planning guidelines, on all of which I now happily pontificate. That is where the superb briefing of one's officials is invaluable and in any event most of these obscure subjects can be readily comprehended with a modest level of intelligence and a slightly greater application of commonsense.

There are many who delight in denigrating our political system and who remain convinced that the principle of democracy has little relevance to the real world. I beg to differ.

Having spent two years in government, I have no reason to doubt that a newly-elected government can be an effective instrument for change if it so wishes. I am equally convinced that the Civil Service are politically neutral, highly competent and perfectly willing to carry out the policies of any government that knows its own mind and is confident of its own strategy. Thus the present Government's policy on the sale of council houses, the abolition of exchange controls and the denationalisation of the aerospace industry were policies conceived within the Conservative Party, put to the country, endorsed by the electorate and successfully implemented irrespective of the enthusiasm or hostility of the Civil Service. Indeed the substantial reduction there has been in the size of the Civil Service, itself, since 1979 is further proof if proof is needed. Within the Scottish Office there has been a considerable change compared to previous Labour Governments. Not only has there been a great decentralisation from the Secretary of State down but each Minister has been given a specific title

that corresponds with his responsibilities. This, I am sure, is creating a greater awareness amongst the public both of the work of the Scottish Office and of the personalities of its present incumbents.

There are, of course, defects and inadequacies in our political system and the machinery of government is in constant need of care and maintenance. On balance, however, I am content with Winston Churchill's dictum that our system of government is the worst that has ever been devised - apart from all the other kinds.